

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAMES E. MARCUM,

Petitioner,

v.

CASE NO. 2:05-cv-731

STATE OF OHIO,

**JUDGE MARBLEY
MAGISTRATE JUDGE ABEL**

Respondent.

OPINION AND ORDER

On March 22, 2006, the Magistrate Judge issued a Report and Recommendation recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed. Although the parties were specifically informed of their right to object to the *Report and Recommendation*, and of the consequences of their failure to do so, there has nevertheless been no objection to the *Report and Recommendation*. The docket indicates that petitioner apparently is no longer incarcerated at the Pickaway Correctional Institution, and therefore did not receive notice of the Magistrate Judge's Report and Recommendation; however, it is petitioner's responsibility to keep the Court apprised of his whereabouts.

The *Report and Recommendation* is hereby **ADOPTED AND AFFIRMED**. This case is **DISMISSED**.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
United States District Judge